

UNCLASSIFIED		CONFIDENTIAL		SECRET	
CENTRAL INTELLIGENCE AGENCY OFFICIAL ROUTING SLIP					
TO	NAME AND ADDRESS		DATE	INITIALS	
1	DDCI 7D6011		11/9	<i>[Signature]</i>	
2	<i>ER</i>		11/9	<i>JB</i>	
3	<i>Leg. Counsel</i>				
4					
5					
6					
ACTION		DIRECT REPLY		PREPARE REPLY	
APPROVAL		DISPATCH		RECOMMENDATION	
COMMENT		FILE		RETURN	
CONCURRENCE		INFORMATION		SIGNATURE	
<p>Remarks: Attached, per your request, is a memorandum covering legislative developments with respect to the Secret Service. We have not, in this paper, dealt with the subject of legislation making the assassination of the President a Federal crime.</p>					
FOLD HERE TO RETURN TO SENDER					
FROM: NAME, ADDRESS AND PHONE NO.				DATE	
Assistant Legislative Counsel, 7D01				6 Nov 64	
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64-7403

6 NOV 1964

MEMORANDUM FOR: Deputy Director of Central Intelligence

SUBJECT: Establishment of the Secret Service

1. This memorandum is for the information of the Deputy Director of Central Intelligence.

2. Chapter VII and Appendix VI of The Report of the President's Commission on the Assassination of President Kennedy contain a detailed history of the establishment and development of the Secret Service. They describe its creation by administrative action in 1865 as a division within the Department of the Treasury to deal with counterfeiting and trace its gradual, informal development as the protector of the President to eventual assumption of full-time responsibility for the safety of the President in 1902. At that time the Secret Service was the only Federal investigative Agency.

3. Legislative cognizance of the Secret Service's responsibility for the protection of the President and the specific appropriation of funds for this purpose first occurred in the Sundry Civil Expenses Act of 1906. (34 Stat. 708 - Tab A) However, it was not until 1913 that the Congress granted specific statutory authorization for protection of the President by the Secret Service. (38 Stat. 22 - Tab B) This authority was renewed annually in appropriations legislation until 1951. During the period from 1906 to 1913 protection was extended to the President-elect, to the immediate family of the President, and threats on the life of the President were made a Federal crime.

4. After an attempt was made on the life of President Truman in 1951, the Congress enacted permanent legislation authorizing the protection of the President and certain others by the Secret Service. The scope of this statute was increased by amendment in 1962 to include other Government officials, former Presidents and certain others in the line of succession to the Presidency. It remains in this form today. (18 U.S.C.A. 3056, 65 Stat. 122, as amended - Tab C) Legislative history of the 1913 and 1951 statutes is not included in current legal research material.

5. The Warren Report also makes reference to the fact that, in 1949, a task force of the Hoover Commission recommended that non-fiscal functions of the Treasury Department be removed and that those elements concerned with the protection of the President be transferred from the Secret Service to the Department of Justice (Tab D). This recommendation was not included in the final report of the Hoover Commission.

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Assistant Legislative Counsel



Excerpt from 34 Stat. 708

Suppressing counterfeiting and other crimes: For expenses incurred under the authority or with the approval of the Secretary of the Treasury...and for no other purpose whatever, except in the protection of the person of the President of the United States, one hundred and twenty-five thousand dollars:



Excerpt from 38 Stat. 22

Suppressing counterfeiting and other crimes: For expenses incurred under the authority or with the approval of the Secretary of the Treasury...and for no other purpose whatever, except in the protection of the person of the President and of the person chosen to be President of the United States, which protection is hereafter authorized,
\$135,000: (emphasis added)



18 U.S.C.A. 3056

Subject to the direction of the Secretary of the Treasury, the United States Secret Service, Treasury Department, is authorized to protect the person of the President of the United States, the members of his immediate family, the President-elect, the Vice President, or other officer next in the order of succession to the office of President, and the Vice President-elect; protect a former President, at his request, for a reasonable period after he leaves office; detect and arrest any person committing any offense against the laws of the United States relating to coins, obligations, and securities of the United States and of foreign governments; detect and arrest any person violating any of the provisions of sections 508 and 509 of this title and, insofar as the Federal Deposit Insurance Corporation, Federal land banks, joint-stock land banks and Federal land bank associations are concerned, of sections 218, 221, 433, 493, 657, 709, 1006, 1007, 1011, 1013, 1014, 1907, and 1909 of this title; execute warrants issued under the authority of the United States; carry firearms, offer and pay rewards for services or information looking toward the apprehension of criminals; and perform such other functions and duties as are authorized by law. Moneys expended from Secret Service appropriations for the purchase of counterfeits and subsequently recovered shall be reimbursed to the appropriation current at the time of deposit.



Excerpt from Task Force Report on Fiscal, Budgeting,
and Accounting Activities (Appendix F) Prepared
for U.S. Commission on Organization of the
Executive Branch of the Government - January 1949

The United States Secret Service is functionally more closely related to the Federal Bureau of Investigation in the Department of Justice than to the Treasury Department. It is engaged in protecting the President and his family and the President-elect. It supervises the permanent White House police force, which is assigned to the Executive Mansion and grounds. It also has charge of the uniformed guard force of all Treasury buildings. These functions have little or nothing to do with fiscal operations and may be properly lodged with an agency like the FBI in the Department of Justice.